

**AmerenUE**  
Callaway Plant

**Garry L. Randolph**  
Senior Vice President and  
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March 21, 2003

U. S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Mail Stop P1-137  
Washington, DC 20555-0001

ULNRC-04822



Ladies and Gentlemen:

**Docket Number 50-483**  
**RESPONSE TO REQUEST FOR INFORMATION**  
**EA-03-040**  
**CALLAWAY PLANT**  
**UNION ELECTRIC CO.**

Ref. 1: NRC Letter EA-03-040 dated March 5, 2003  
Ref. 2: OSHA Letter, Case No. 7-7080-03-004 dated  
January 22, 2003

This responds to Mr. Merschhoff's letter dated March 5, 2003 which transmitted a request for information about events discussed in the subject OSHA letter, case No. 7-7080-03-004. Our response to the information request is presented in the attachment.

None of the material in the response is considered proprietary by Union Electric.

If you have any questions regarding this response, or if additional information is required, please let me know.

Very truly yours,

  
Garry L. Randolph

JRP

Attachment: 1) Response to Request for Information

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cc: Mr. Ellis W. Merschhoff  
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**Request for Information**

Describe the actions you have taken or plan to take to assure that this matter is not having a chilling effect on the willingness of other employees to raise safety and compliance concerns within your organization and to the NRC.

**Union Electric Response:**

Union Electric has always recognized its licensee responsibilities for our personnel as well as our contractors. We take a very proactive and serious approach to ensure our personnel and contractors maintain compliance with NRC regulations.

Our Employee Concerns Program (ECP) has been actively investigating and monitoring the concerns of The Wackenhut Corporation (TWC) individual involved in the subject Department of Labor (DOL) case, as well as any concerns raised by others. The concerned individual brought his discrimination concern to our ECP personnel in July 2002. We promptly investigated this concern and did not substantiate the concern. Since then, there has been frequent and open dialogue with the ECP personnel, the concerned individual, site TWC management and TWC corporate management to ensure this individual is being treated fairly and in accordance with NRC regulations. We have conducted an additional ECP investigation to address the concerned individual's claim of a chilling effect towards him since he filed his complaint with DOL in October 2002. This investigation was completed in February 2003. The results of this investigation did not substantiate a chilling effect directed to the concerned individual since he filed his complaint, nor since DOL issued their ruling in January 2003. In the course of this investigation, several TWC personnel and Union Electric personnel responsible for Security were interviewed. The investigation did not identify there was a chilling effect from the DOL ruling which may hinder raising safety and compliance concerns to our organization, contractors and to the NRC by any personnel at the Callaway site.

We take our commitments to a safety conscious work environment (SCWE) at the Callaway Plant very seriously. For example, as part of our on-going efforts, we have contracted with a professional survey firm, used by many of the nuclear industry stations, to perform an independent survey of the SCWE at Callaway Plant. All Union Electric Nuclear Division personnel and our on site-contractors will be given the opportunity to participate in this survey scheduled to be performed in April 2003, with results expected in the July-August 2003 timeframe.

In the interim, until we have our independent survey results, our ECP personnel, Union Electric management and contractor management will continue to vigilantly monitor and promote our SCWE and take the appropriate actions to ensure we are in compliance with our regulatory requirements and commitments. I have personally communicated these expectations to Mr. Richard Michau, President, TWC Nuclear Services Division.

bcc: G. L. Randolph  
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J. V. Laux  
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STATE OF MISSOURI    )  
                                  )  
                                  )                    SS  
CALLAWAY COUNTY    )

Garry L. Randolph, of lawful age, being first duly sworn upon oath says that he is Senior Vice President and Chief Nuclear Officer, for Union Electric Company; that he has read the foregoing document and knows the content thereof; that he has executed the same for and on behalf of said company with full power and authority to do so; and that the facts therein stated are true and correct to the best of his knowledge, information and belief.

By *Garry L. Randolph*  
Garry L. Randolph  
Senior Vice President and  
Chief Nuclear Officer

SUBSCRIBED and sworn to before me this 24<sup>th</sup> day  
of March, 2003.

*Gloria J. Taylor*  
GLORIA J. TAYLOR  
NOTARY PUBLIC  
STATE OF MISSOURI - CALLAWAY COUNTY  
NOTARY SEAL  
MY COMMISSION EXPIRES JUNE 21, 2003